

EXHIBIT 72

(Filed Under Seal)

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA
3

4 CIVIL NO. 18-1776 (JRT/HB)

5 0:21-MD-02998-JRT-HB

6 MDL NO. 2998
7

8 IN RE: PORK ANTITRUST LITIGATION

9 This Document Relates to: All Actions

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11

12

13

HIGHLY CONFIDENTIAL

14

REMOTE VIDEO DEPOSITION OF BRIAN TAPHORN

15

January 25, 2022

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REPORTED BY: Laura H. Nichols

23

Certified Realtime Reporter,

24

Registered Professional

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Reporter and Notary Public

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1 A. Not all calls specifically, no.

2 Q. So you can't tell me, with certainty,
3 who told you this information?

4 A. I can't.

5 Q. The sales team of Seaboard used this
6 information about competitors' planned cutbacks to
7 increase Seaboard's offering prices, correct?

8 MR. SCHWINGLER: Objection, form,
9 foundation.

10 A. It would have -- it would have
11 affected our sales decisions, yes.

12 MS. VAN ENGELEN: Let's take a look
13 at Tab 17, which we will mark as Exhibit 308.

14 (Plaintiffs' Exhibit 308 was marked
15 for identification.)

16 MS. VAN ENGELEN: And that is
17 SBF0349287 through 89, which was provided in native
18 format.

19 MR. SCHWINGLER: Can you give me the
20 tab number again?

21 MS. VAN ENGELEN: That is Tab 16 --
22 or, I'm sorry, 17.

23 Q. (BY MS. VAN ENGELEN:) This is an
24 email from Aaron to you and others at Seaboard
25 dated June 6th, 2013, correct?

1 Q. Okay. And by bulls, what did you
2 mean?

3 A. Those that are bullish, the futures
4 market.

5 Q. As in people that think the price
6 could be pushed higher, right?

7 A. Correct.

8 Q. And is it fair to say that you
9 believed at least that the bulls were looking at
10 China as a basis to increase the price of the hogs
11 on the futures market?

12 MR. SCHWINGLER: Objection, form,
13 foundation.

14 A. I mentioned it here because it must
15 have been a factor in the market at that time.

16 Q. (BY MR. MENGER:) **And increased sales**
17 **to China could soak up some of the, you know,**
18 **potential supply issues?**

19 MR. SCHWINGLER: **Objection, form,**
20 **foundation.**

21 A. **That would be the speculation.**

22 Q. (BY MR. MENGER:) And what did you
23 mean by bears?

24 A. Those market participants that are
25 bearish, futures market.

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1 C E R T I F I C A T E
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4 STATE OF ALABAMA
5 JEFFERSON COUNTY
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7
8 I hereby certify that the above and
9 foregoing deposition was taken down by me in
10 stenotypy, and the questions and answers thereto
11 were reduced to typewriting under my supervision,
12 and that the foregoing represents a true and
13 correct transcript of the deposition given by said
14 witness upon said hearing, to the best of my
ability.

15 I further certify that I am neither
16 of counsel nor of kin to the parties to the action,
17 nor am I in anywise interested in the result of
18 said cause.

19
20 
21

/s/ LAURA H. NICHOLS

Commissioner-Notary Public, State of AL

ACCR License No. 3, Exp. 9/30/2022

GA CCR No. 2714, Exp. 4/1/2022

TN LCR No. 679, Exp. 6/30/2022

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